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STAT

31 March 1987

BACKGROUND PAPER
on
Space Station Negotiations Activities

PURPOSE:

Provide information on certain key elements of ongoing Space Station negotiations between the US and foreign partners (most significant items highlighted in yellow on second page).

BACKGROUND:

-- Latest rounds of bilateral discussions on Space Station with foreign partners were held during late February/early March--ESA, 26-27 February; Japan, 12-13 March; Canada, 17-18 March. NSDD 257, Guidance to the US Delegation for Negotiations with Western Europe, Japan, and Canada on the Space Station (Reference 1) developed under auspices of SIG(Space) basis of US delegation discussion strategy.

-- Partners viewed earlier version prior to DoD commitment in December 1986 to weigh in with formal requirement to assure Space Station program would not preclude use for national security purposes. Head of US delegation characterized Partners' perception to new thrust of International Government Agreement (IGA) as one of a hardening of US position and changing the character of a Presidential invitation. Ambassadorial cables supported this perception (Reference 2). Specifically, the Partners find explicit wording on use of the Space Station for national security purposes "unacceptable." They also voiced dissatisfaction with the "asymmetry" of US control and management.

DISCUSSION:

-- A new version of the IGA was prepared by DOS and NASA as a result of the bilateral discussions and presented to the Space Station Backstopping members on 25 March. The drafters felt it provided cosmetic changes which will "make look of substantive changes more palatable to the Partners'." Several members of the Space Station Backstopping Group considered the changes as leaning too much in the direction of appeasing the Partners' desires on what is a US Space Station to which foreign participants were invited to join (IC Staff, DoD, and OMB in particular). Considered "cosmetic" were strong reference to the "civil" character of the Space Station for "peaceful" purposes and restructuring of the consultative section which would weaken US control of operation and management of the Space Station (see issue papers at Reference 3). DoD and IC Staff objected to this approach in Space Station Backstopping meetings on 25 and 27 March, primarily from the perspective that the suggested approach represents a backsliding on guidance in NSDD 257.

All portions of this paper
are UNCLASSIFIED

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-- Issue papers on five topics which were identified at the 27 March Space Station Backstopping meeting as requiring a decision by the SIG(Space) have been prepared by DOS. Issue papers will be used by NSC official (The Honorable William Cockell) in discussions with Department/Agency representatives [redacted] will be the IC Staff representative) to determine if SIG(Space) needs to be convened prior to cabling new text to Partners o/a 3 April. STAT

-- Other matters of importance on this topic include:

- Follow-on discussions with Japanese using modified US text on 16-17 April.

- OMB/Congress have agreed to limit Space Station power to 50KW and redesign the complex to a single truss member versus the earlier planned 100KW capacity and double truss configuration. Action will limit number of users and growth potential.

- Representative Mineta of California introduced a bill (see Reference 4) HR 1733 on 19 March which specifies that the Space Station "may not be made available to, or used by or on behalf of, the Department of Defense (or any other department or agency) in connection with any national defense function or activity."

- A DoD space policy group headed by the Assistant Deputy Under Secretary of Defense (Policy) met on 31 March to consider options for presentation to SecDef on DoD use of the Space Station; e.g., a separate, independent military space station, a free flyer which can attach to the Space Station complex, or determine what percentage factor of the US module of the Space Station DoD will require for national security purposes. A follow-on meeting is scheduled for 1 April.

On your behalf, ICS/PPS will continue to support the major DoD issues on Space Station utilization which are critical to Community interests and actively participate in SIG(Space) and attendant working group deliberations.

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SUBJECT: **Background Paper on Space Station Negotiations Activities**

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THE WHITE HOUSE

WASHINGTON

February 3, 1987

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~~UNCLASSIFIED~~
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MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF COMMERCE
THE SECRETARY OF TRANSPORTATION
THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
THE DIRECTOR OF CENTRAL INTELLIGENCE
THE ACTING ASSISTANT TO THE PRESIDENT FOR POLICY DEVELOPMENT
THE ASSISTANT TO THE PRESIDENT AND CABINET SECRETARY
THE CHAIRMAN, COUNCIL OF ECONOMIC ADVISERS
THE CHAIRMAN, JOINT CHIEFS OF STAFF
THE DIRECTOR, OFFICE OF SCIENCE AND TECHNOLOGY POLICY
THE ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SUBJECT: NSDD on Guidance to the U.S. Delegation for Negotiations with Western Europe, Japan and Canada on the Space Station

The President has signed the attached National Security Decision Directive.

Frank C. Carlucci

Attachment
NSDD 257

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THE WHITE HOUSE

WASHINGTON

CONFIDENTIAL

February 3, 1987

NATIONAL SECURITY DECISION
DIRECTIVE NUMBER 257

Guidance to the U.S. Delegation for Negotiations with Western Europe, Japan and Canada on the Space Station (U)

The U.S. Delegation to the Negotiations on development and deployment of the U.S. Space Station should be guided by the attached Principles and Guidelines during the next and all subsequent rounds of talks with Canada, the European Space Agency, and Japan. (C)

Attachment
Principles & Guidelines

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Guidance to the U.S. Delegation for Negotiations with Western Europe, Japan, and Canada on their Participation in a Permanently Manned Space Station (U)

General Policies

1. Build a permanently manned space station consisting of a core U.S. Space Station, which, with the Canadian-provided Mobile Servicing Center, is capable of reliable autonomous operation by the U.S. and capable of allowing for manned and unmanned elements provided by cooperating countries taking part in the program. (U)

2. Attempt to secure the participation of U.S. friends and allies in the Space Station program. (U)

3. Demonstrate U.S. world leadership in space science and technology. Promote world recognition of the Space Station as a national achievement of the United States. (U)

4. Ensure that agreements concerning international participation in the Space Station promote U.S. national interests. (U)

5. Promote U.S. economic interests and enhance the overall U.S. competitive position in space technology. (U)

6. Foster international cooperation in basic scientific research. (U)

7. Ensure a reasonable return on the U.S. government investment in space technology and seek to create an appropriate opportunity for U.S. private sector investment in space. (U)

8. Ensure consistency with U.S. policy objectives regarding U.S. Government launch programs and U.S. private sector commercialization of space transportation services. (U)

9. Ensure that the United States can achieve autonomous, reliable operation of the Space Station within approved funding levels even if any or all foreign participants withdraw from the program. (U)

10. A special Working Group has been convened to resolve Space Station legal issues and draft proposed language that will be used in these Principles and Guidelines. Results of their findings are required as soon as practical to meet negotiation milestones. The Department of State will chair this effort and provide their findings to the Interagency Group (Space) within 60 days of the date of this NSDD. (U)

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Guidance

1. Maintain the initiative in the negotiations and seek to focus discussions on U.S. draft texts consistent with policy guidance. (U)

2. Seek mutually beneficial agreements on participation in the detailed design, development, operation, and utilization of the civil Space Station by friends and allies of the U.S., specifically Western Europe, Japan, and Canada. (U)

3. Ensure consistency throughout the agreement with the following definitions: The U.S. has a Space Station program which will produce the core U.S. Space Station. The international participants each have programs to produce hardware elements which will add to the capabilities of the core U.S. Space Station. Together, the core U.S. Space Station and the international hardware elements will be referred to as "the Space Station Complex." The term partners in resulting international agreements will refer to the Republic of Austria, the Kingdom of Belgium, the Government of Canada, the Kingdom of Denmark, the French Republic, the Federal Republic of Germany, the Republic of Ireland, the Italian Republic, the Government of Japan, the Kingdom of the Netherlands, the Kingdom of Norway, the Kingdom of Spain, the Kingdom of Sweden, the Swiss Confederation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Collectively, the agreements will define the relationship between and among, and the respective obligations of, the partners. (U)

4. Ensure that the framework for international participation in the Space Station program demonstrates the benefits of working with the U.S. in space, so that cooperation with our friends and allies will continue in the future and these countries will associate their programs with ours. (U)

5. Ensure that any international participation strengthens the ability of the United States to operate a Space Station with enhanced capabilities in the mid-1990s for U.S. users, including government, scientific, and commercial users. (U)

6. Ensure that any foreign participants recognize and agree that the United States may use the U.S. elements of the Space Station and the Canadian-provided Mobile Servicing Center for national security purposes, consistent with U.S. Law and U.S. international obligations, without their consent or necessarily their review. (U)

7. Ensure that the U.S. scientific community and U.S. private sector entities will have appropriate opportunities to use U.S. elements of the Space Station and the U.S. share of other elements, within the U.S. allocation of utilization resources. (U)

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8. Ensure that the U.S. can at all times select the Commander and can control and exercise authority over all Space Station activities including access, necessary to ensure safety and to enforce physical and information security procedures. (U)

9. Establish management arrangements that ensure necessary U.S. control of Space Station detailed design, development, operation, and utilization. These arrangements should ensure that foreign partners participate in deliberations and decisions affecting their interests, but should explicitly provide for U.S. ability to make unilateral decisions where necessary. These arrangements should enhance safe and effective development, operation, and utilization of the Space Station under U.S. control. (U)

10. Provide that the U.S. will select specific crew complements for specific crew rotation cycles from U.S. and partner country crew corps, and retain the flexibility to man the Station with an all U.S. crew if necessary. (U)

11. Seek the agreement of the international partners to principles for sharing utilization of Space Station resources and for sharing operational costs. (U)

12. Ensure that agreements contain provisions which govern the transfer of technology on board the Space Station or among Space Station participants. These provisions shall take into account the protection of U.S. national security interests and the fostering of U.S. economic interests in appropriate cases in accordance with U.S. laws, regulations, and policy. (U)

13. Promote, encourage and facilitate commercial launches by the U.S. private sector in support of the Space Station program. (U)

14. Seek inclusion in the agreements of language stating that the commitments undertaken will be subject to the availability of funds and to the funding procedures of each participating government and the European Space Agency. (U)

15. Without prejudice to the potential need for a multilateral intergovernmental agreement, negotiate both a government-level and an agency-level agreement with each of the partners. In the case of Europe, the agency-level agreement should be signed by NASA and the European Space Agency (ESA), whereas the government-level agreement should be signed by the United States and all participating ESA member governments. The U.S. side should ensure that all matters requiring commitments by governments are dealt with in the government-level agreement or agreements, but that, to the extent possible, matters primarily of a programmatic or technical nature are dealt with in the agency-level agreement or agreements. (U)

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16. The U.S. side should seek explicit agreement to a process for making any necessary amendments to the agreements over the life of the Space Station program. (U)

17. Ensure that the United States has effective use and control of those elements of the Space Station necessary for reliable, autonomous operation over the long term of the U.S. core station and ensure that the U.S. is protected further by providing an opportunity to acquire NSC hardware and other necessary equipment should Canada withdraw or default on its obligations undertaken in agreements associated with the Space Station program. (C)

Ronald Reagan

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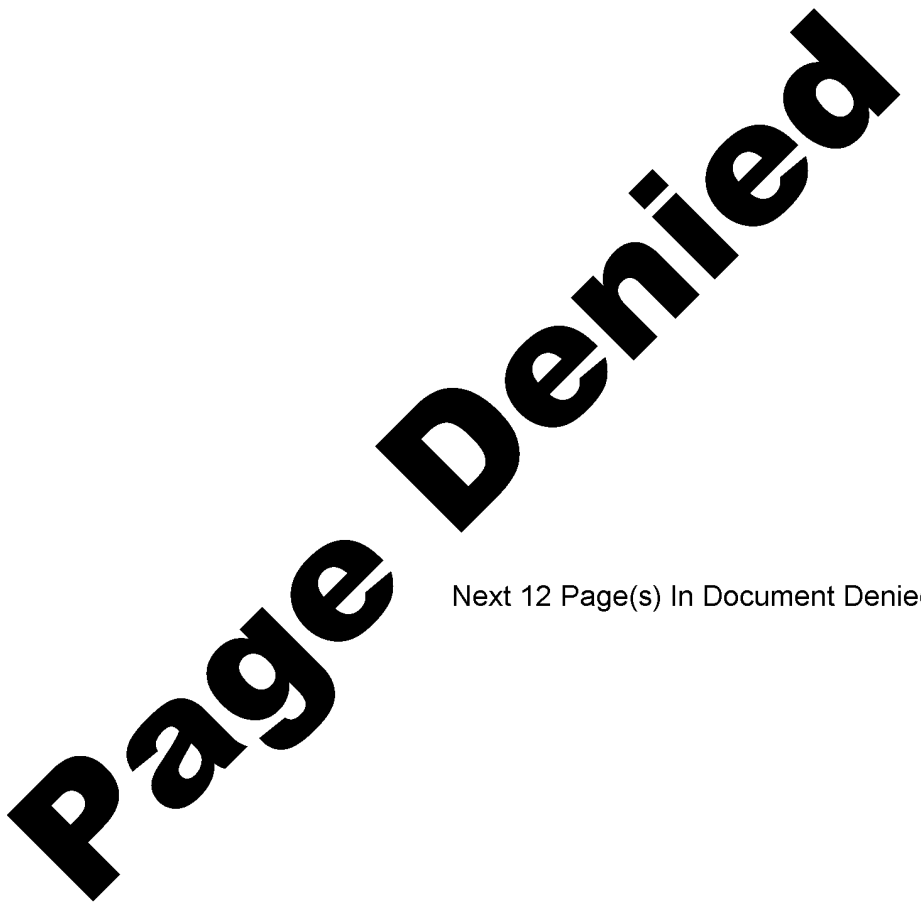

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United States Department of State

Washington, DC 20520

March 31, 1987

MEMORANDUM

TO: Participants, Space Station Backstopping Group (Issues Paper Working Group)

FROM: OES/SAT - Ralph Braibanti RB

Attached is an issues paper for use in resolving remaining interagency issues on the revised IGA draft. Please provide any comments to me by phone (x647-2433) no later than COB today (Tuesday 3/31).

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Memorandum -- Space Station Negotiations

Background

In 1984, the President directed NASA to develop and place into orbit a permanently manned space station and invited America's friends and allies to take part in its development, operation, and utilization. The governments of Western Europe, Canada, and Japan have accepted the President's invitation, and this cooperative program has been noted and encouraged at subsequent Economic Summit meetings. The United States and its foreign partners have cooperated pursuant to agency-level agreements in the preliminary design phase of the Space Station over the last two years. The partners have made substantial investments in preliminary design activities.

For over a year, the United States and the participating governments have been negotiating government-level agreements for cooperation on the development, operation, and utilization phases of the Space Station. The President, in NSDD 144, directed that NASA and State "make every effort to obtain maximum mutually beneficial foreign participation in the Space Station program."

These negotiations have now reached a critical stage. Although there are many difficult issues left to be negotiated, most can probably be resolved so as to meet our partners' legitimate concerns while fully protecting U.S. national interests. There are several issues, discussed in this paper, which are so important to the partners that, if we are unable to find some accommodation, it is likely that our partners will terminate the negotiations and reject the President's invitation.

By way of background, it should be noted that many of the changes which the United States has introduced into the draft agreement over the last few months, taken cumulatively, appear to our partners to have changed the character of the program which the President invited them to join. Our partners have expressed concern that the Space Station is becoming less a civil program and appears to be taking on the quality of a U.S. military facility. Many of the problems which the United States faces in the negotiations reflect this profound concern among our partners. As a result of the perceived change in the character of the program, international cooperation is now in doubt.

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Issue 1: Is it necessary to state in the agreement that the United States' ability to use the Space Station "for any purpose" includes "national security purposes?

Relevant NSDD 257 Provision: "ensure that any foreign participants recognize and agree that the United States may use the U.S. elements of the Space Station (and the Canadian provided mobile servicing center) for national security purposes consistent with U.S. law and with U.S. international obligations, without their consent or necessarily their review."

Discussion: All agencies agree that the United States must retain the right to use its elements for national security purposes, in accordance with international law. They disagree over how explicitly this must be stated. The February draft text provided that the United States could use its elements "for any purpose, including national security purposes." None of the partners disagreed with this statement as a matter of substance. In addition, they noted that the United States had made this intention clear in the 1984 NASA Administrator's letter to the partners, which stated that DOD could be a user of the Station and that its uses would be for "peaceful, non-aggressive" purposes. ("Non-aggressive" in this context means defensive military purposes as opposed to non-military purposes.)

Notwithstanding their agreement in substance, all the partners have stated unequivocally that the explicit reference to "national security purposes" is unacceptable. The partners have argued not only that the term would make Space Station cooperation difficult to sell publicly but that, given that "any purpose" already includes national security purposes, the explicit reference appears to call into question the character of the "civil" Space Station the President invited them to join. All three of our partners have stated clearly that if the United States insists on retaining this term, they will not be able to sign the agreement and there will be no Space Station cooperation.

All agencies agree that, as a strictly legal matter, inclusion of the term is not critical. The United States may use the Space Station "for any purpose consistent with this Agreement." Under the agreement, the partners have no managerial authority whatsoever over U.S. elements. Thus, the only limit on U.S. use of its elements is the agreement's requirement that any Space Station use be "for peaceful purposes in accordance with international law." No partner holds the view that international law (which is not modified by this agreement) precludes national security uses of outer space. Although the partners do differ as to the extent of national security uses which international law permits, this divergence of view would not be cured by the appearance of the term "including national security purposes."

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Some agencies remain concerned, however, about our partners' unwillingness to openly accept U.S. military uses of the Space Station. These agencies believe that if terms such as "civil Space Station" and "peaceful purposes" do appear in the agreement but the term "national security purposes" does not, it will be easier for our partners to argue in the future against specific DOD uses, in particular SDI, and that they may put political pressure on us to curtail such uses. While they recognize that political demarches cannot be prevented, no matter how the agreement is formulated, these agencies consider that the agreement should at least raise the threshold which must be reached before a demarche is made.

Other agencies consider that our position is as fully protected as possible in the context of international cooperation. These agencies observe that the partners' right to express concern over specific DOD uses would not be curtailed by the explicit "national security" language and that the only way to guarantee that our partners will not complain about specific DOD uses is to disinvite them from the project. These agencies also note that the term "civil" does not mean "non-military" and that the "peaceful purposes in accordance with international law" is interpreted by every partner to include military use.

Options:

1. To provide that the United States may use the Space Station "for any purpose consistent with this Agreement, including national security purposes...."

2. To provide that the United States may use the Space Station "for any purpose consistent with this Agreement...."

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Issue 2: Should the agreement acknowledge that the partners may consult at the government level on any issue arising out of Space Station cooperation, without necessarily first exhausting agency-level consultations?

Relevant NSDD 257 Provision: None

Discussion: The last U.S. draft text required the partners to consult at the agency level on every issue before being able to request consultations at the government level. The partners have said that this approach is unacceptable. They have all argued that in a cooperative venture of this magnitude and importance, there should be a standing government mechanism to review and make decisions on matters of common concern.

All agencies reject the notion of a standing body with decision-making authority. All agencies also acknowledge that, in fact, a partner could always request consultations at the government level and that we would almost certainly accede to such a request. Agencies disagree, however, whether in the new proposed text we should acknowledge that the partners can request government-level consultations without first going to the agency level.

Some agencies believe a specific provision providing for government-level consultations will undercut our desire to have most issues resolved at the agency level, encourage the partners to politicize issues, and provide a forum in which they may challenge U.S. decisions regarding, and U.S. uses of, the Space Station.

Other agencies believe that government-level exchanges of view are inevitable, and in some cases essential, and that it is usual and appropriate to provide for them in a government-level agreement. Further, these agencies believe that the only way to dissuade the partners from insisting on a formal decision-making body is to make a specific reference in the agreement to the possibility of government-level consultations.

Options:

1. To require a partner to exhaust agency-level discussions before government-level consultations may be requested.

2. To provide that a partner may request government-level consultations without necessarily exhausting agency-level consultations.

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Issue 3: Does the United States need to have a veto over any transfer of ownership by a partner of its elements and equipment and prevent the other partners from having a veto over any such transfer by the United States?

Relevant NSDD 257 Provision: None

Discussion: All agencies agree that it is important for NASA to retain the option to transfer ownership of its elements and equipment to the private sector without the concurrence of the other partners. To this end, the last draft provided that a partner required the concurrence of the other partners only when the transfer was to "a third party" i.e., a non-party or its nationals. The issue has now arisen whether the United States should be able to veto any transfer of ownership by another partner and prevent the other partners from vetoing any transfer by the United States.

Ownership is not a particularly meaningful concept under the agreement. A partner maintains its rights and obligations under the agreement even if a transfer occurs. In addition, any exercise of the rights of ownership is subject to the rest of the agreement. In sum, the technical "owner" would not gain any rights that would adversely affect the other partners.

Some agencies believe, however, that it is important for the United States to retain a veto over any transfer by another partner, not just a transfer to a "third party." They consider that the United States should be able to prevent a potentially embarrassing transfer, e.g., by ESA to FIAT Corporation, which is technically the national of a party, but partly owned by Libya. They also believe that the United States, as the "majority partner," should not have to gain the concurrence of the other partners to effect any transfer.

Other agencies continue to maintain that our interests are amply protected by a symmetrical scheme requiring concurrence of the other partners only for transfers to non-parties or their nationals. Given the fact that transfers of ownership will not adversely affect the other partners, these agencies believe that asymmetrical treatment of the other partners is not justified and that any actual problem (such as a transfer to FIAT) could be handled as effectively through consultations.

Options:

1. Retain a symmetrical scheme whereby any transfer requires prior consultation and any transfer to a non-party or its nationals requires the concurrence of the other partners.

2. Establish an asymmetrical scheme whereby any transfer by another partner requires the concurrence of the United States and no transfer by the United States requires the concurrence of the other partners.

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Issue 4: Is it necessary to specify NASA responsibilities regarding management decision-making and crew selection in the intergovernmental agreement (IGA), or is it sufficient to specify these principles in the agency-level agreement (MOU) and incorporate them into the IGA by reference to the MOU?

Relevant NSDD 257 Provision: ...The U.S. side should ensure that all matters requiring commitments by governments are dealt with in the government-level agreement or agreements, but that, to the extent possible, matters primarily of a programmatic or technical nature are dealt with in the agency-level agreement or agreements.

Discussion: All agencies agree that NASA must have the responsibility for making management decisions in the event all the partners cannot reach consensus and for selecting the Space Station crew. Agencies disagree, however, whether these principles must appear in the IGA or whether it is adequate for them to be incorporated into the IGA by reference to the MOU.

Some agencies believe that NASA's authority in these areas is so critical that it must be agreed to explicitly at the government level. Other agencies agree that NASA's authority is critical, but are confident that these points are covered as long as they are clear in the MOU, since they relate to NASA's agency-level programmatic responsibilities. These agencies argue that the IGA needs to provide commitments that cannot be made at the agency level; it does not need to reiterate commitments that can be made at the agency level - particularly if these commitments are unpalatable in a political light.

Options:

1. Provide explicitly in the IGA that NASA is responsible for management decision-making when the partners cannot achieve consensus and that NASA is responsible for selecting Space Station crew.

2. Provide in the IGA that mechanisms for management decision-making in the absence of consensus and procedures for selecting Space Station crew are provided in the MOU, thus incorporating the MOU by reference.

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Issue 5: Does the United States need to have a veto over another partner's activities on that partner's element(s) on national security or foreign policy grounds?

Relevant NSDD 257 Provision: None

Discussion: The proposed text retains an asymmetrical veto on utilization activities, i.e., the partners cannot veto any activities which the United States conducts on its elements but the United States can veto certain activities which the other partners perform on non-U.S. elements. The agencies disagree as to the appropriate scope of that veto.

The February text provided that we could each object to the other's activities in the non-U.S. elements for either foreign policy or national security reasons. All the partners, beyond objecting to the asymmetry in principle, particularly objected to these terms on the ground that they do not have clearly accepted meanings and are therefore potentially very broad. The partners said they would have serious problems investing so much money in their elements if our veto power was so broad and was not subject to review of any kind. In addition, the U.K. had a specific objection to the national security veto. They already know that we might have national security objection to the sensing activities they intend to carry out on their polar platform. They argued that it would not make sense for them to include their polar platform in the Space Station program if it could not be used for one of its intended purposes.

The new proposed draft extends the veto only to uses of the non-U.S. elements by a non-partner or its nationals, e.g., the Soviets or the Libyans.

Some agencies believe that we should retain the broad foreign policy/national security veto because a veto over non-partner uses is not sufficient to protect U.S. interests.

Other agencies believe that the non-partner veto would effectively capture any likely foreign policy concerns. As to the national security veto, they consider that its retention is potentially harmful to U.S. interests, i.e., it could drive the ESA polar platform out of the program, and is unjustified in light of the theoretical nature of potentially troubling cases and the serious concern it has evoked in the other partners. These agencies believe that if a problem actually developed, it would be an appropriate issue for consultations.

Options:

1. Retain the U.S. right to veto the other partners' activities in the non-U.S. elements on national security or foreign policy grounds.

2. Retain the U.S. right to veto the other partners' activities in the non-U.S. elements only when the user is a non-partner or its national.

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100TH CONGRESS
1ST SESSION

H. R. 1733

To make it clear that the space station being planned and developed by NASA is to be used for civilian purposes only.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 1987

Mr. MINETA introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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A BILL

To make it clear that the space station being planned and developed by NASA is to be used for civilian purposes only.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the permanently manned space station being planned and developed by the National Aeronautics and Space Administration shall be used exclusively for civilian purposes. Such station (including its equipment and facilities) may not be made available to, or used by or on behalf of, the Department of Defense (or any other department or agency) in connection with any national defense function or activity.

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THE RETIREMENT OF COL. RICHARD SAVWOIR

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 1987

Mr. MRAZEK. Mr. Speaker, I rise today to salute the retirement of Col. Richard Savwoir from the West Point Liaison Program, where he has served with distinction for the past 14 years.

Colonel Savwoir graduated from Southern University and was commissioned as second lieutenant on active duty with the 8th Army ordnance inspection team in Korea. Following his term of active duty, Colonel Savwoir attended Columbia Teachers College and the State University of New York at Stony Brook, where he received his master's degree in teaching. While pursuing his career as a teacher, Colonel Savwoir was active in the Army Reserves. In 1972, Colonel Savwoir jointed the Liaison Program at West Point, where he has served for the past 14 years.

Because of his outstanding service both in and out of the military, it is with a great deal pleasure that that I salute Colonel Savwoir on his retirement. I personally wish him the best of luck for the future.

H.R. 1733

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 1987

Mr. MINETA. Mr. Speaker, last week I introduced H.R. 1733 to prohibit Department of Defense involvement in NASA's proposed space station.

NASA's credibility is at risk. I am concerned that the space agency, once a leader in scientific research and development, will become nothing more than a transit system for the Defense Department.

This legislation would prevent the Defense Department from using the station, conceived as a civilian laboratory in space, to research, develop, test, or deploy "Star Wars" or any weapons technology.

Until recently, the Defense Department maintained it had no project for which it needed the space station. Unfortunately, that policy seems to have changed. In December 1986, the Department told NASA of its interest in the station. Now, the Pentagon views the space station as an ideal location for star wars experiments. In a new Department of Defense space policy, released last week, the Department said it wanted to move in the direction of military man-in-space missions and "survivable space platforms." Just this past weekend, the New York Times, quoting Space Business News, reported that the Army is considering plans to use the station as a base for directing battles from orbit.

This legislation would block these alarming developments.

The space station—NASA's next major initiative—must remain a civilian endeavor if we are to resume an energetic role in space. Military activities have dominated this administration's space agenda. Since 1982, the Defense Department's space budget has outstripped that spent for civilian space purposes to the point where the military's space budget now doubles that for NASA. The military has become the top priority user of the space shuttle—as clearly shown by a revamped shuttle schedule that calls for Defense Department projects to make up the first five payloads when the shuttle renews its flight missions in February 1988. Of the 50 space science missions that had been planned before the *Challenger* tragedy of January 28, 1986, only 17 remain on the shuttle's manifest.

We cannot allow this militarization of NASA to continue. The military long has had its own space program. H.R. 1733 would send a clear message that NASA's traditional role as a civilian agency, dedicated to extending the boundaries of our scientific and technological knowledge, must take precedence within the agency.

Let me make clear that H.R. 1733 would allow NASA to sell the Defense Department equipment or facilities developed for the space station as long as that equipment is not used by DOD on or in conjunction with the space station. Nor would the legislation deny the Department the fruits of the civilian research conducted on the station. The Department, under this bill, still would be able to apply the technological innovations developed through work on the station to its own future projects.

Yet, military needs or desires must not be allowed to interfere with the important civilian work in life science, materials science, electronics and communications that are proposed for the space station. Let me raise an issue brought to your attention in January by my distinguished California colleague, the Honorable GEORGE BROWN. Congressman BROWN reminded this body that the military use of the space station, especially for star wars research, would threaten the openness of the program and cause serious management problems since it would be difficult as well as impractical to design the station so it could be divided into open, unclassified portions and closed, classified portions.

It is crucial that the space station serve as a visible, positive example for all to see that the United States is once again focusing its energies and its talents on space exploration.

This legislation would have several profound effects. It would ensure the continued cooperation of Canada, Japan, and the Europeans in the construction and development of the space station. Our international partners have been wary not just of the Defense Department's involvement in the station, but of its dominance as has occurred in the shuttle program. Also, a clear preference for civilian work aboard the station could generate a much-needed spark of enthusiasm within the space agency; a struggling, apprehensive group trying to recover from the *Challenger* tragedy, an increased military presence and, now, facing major budgetary pressures. Finally, an explicit message that the space station is, as it was conceived, a laboratory dedicated to civilian research may serve as a catalyst to once again help NASA become a beacon for the Nation's young, able scientists and engineers.

I'd like to take a moment to address my colleagues who question the expense of the proposed space station. It is important that we recognize the tremendous value of such a project. Scientists across the country believe that the station is essential to uncover the secrets of tomorrow's technologies. I recognize we are facing a time of difficult budgetary choices. I concede that it is difficult, in a land where children go without food, families go without shelter, and our Nation's minority youths go without jobs, to see the direct benefits of a multibillion dollar space project. Yet we must not close off our horizons. If we are to remain competitive in the world marketplace of jobs and ideas, so vital to the continued health of our economy and our citizens, we must support the scientific pioneers who propel our technology forward. And, for those concerned with today's realities, we must recognize that the space industry provides jobs—that the space station is projected to create more than 150,000 jobs and it is expected to help fuel a hesitant commercial space industry, which in turn will create more jobs.

Mr. Speaker, we must not forget the vital boost to the American spirit that the space agency has traditionally provided. A successful space station, dedicated to civilian purposes, is essenbal if our Nation's space program is to ignite enthusiasm and confidence as we seek to explore the frontiers of Mars and beyond.

INTRODUCTION OF THE BILINGUAL EDUCATION IMPROVEMENT ACT OF 1987

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 24, 1987

Mr. RICHARDSON. Mr. Speaker, I rise today in strong support of the Bilingual Education Improvement Act of 1987. It is a privilege to be an original cosponsor of a proposal that goes a long way toward opening the window of opportunity for thousands of our country's young people. I commend the chairman of the House Education and Labor Committee, the Honorable GUS HAWKINS, for his outstanding work on this comprehensive proposal that will equip students with the essential language tools they need to reach their full potential and become productive members of our society.

Mr. Speaker, my district in New Mexico is 40 percent Hispanic. The first language of many of the children is Spanish; the Spanish language is an integral part of our culture and heritage, of which we are all very proud.

You can well imagine the problems a young Spanish-speaking child, 5 or 6 years of age, faces when he or she starts school and cannot understand the instructions of the teacher, cannot keep pace with the class, cannot understand the stories being read. Before the Bilingual Education Act became law in 1968, more than 80 percent of these students dropped out of school. Achievement test scores for students with limited proficiency in English were 2 years below the expectancy norms. Limited familiarity with English made it extremely difficult for these children to attempt reading and writing and to develop conceptual skills. Implicit in English-only instruction was nonacceptance of the child's culture, heritage, and ethnicity. Extraordinarily high dropout rates meant low paying jobs for

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